

ORDINANCE NO. 20060928-083

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 11979 RESEARCH BOULEVARD AND 11933 JOLLYVILLE ROAD FROM LIMITED OFFICE (LO) DISTRICT, COMMUNITY COMMERCIAL (GR) DISTRICT AND PUBLIC (P) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT FOR TRACT ONE AND LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT FOR TRACT TWO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in Zoning Case No. C14-06-0129, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From community commercial (GR) district and public (P) district to general commercial services-conditional overlay (CS-CO) combining district.

A 5.6028 acre (244,058 square feet) tract of land, more or less, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From limited office (LO) district and public (P) district to limited office-conditional overlay (LO-CO) combining district.

A 1.5910 acre (69,302 square feet) tract of land, more or less, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 11979 Research Boulevard and 11933 Jollyville Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively

with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

2. The following uses are prohibited uses of Tract One:

Agricultural sales and services
Campground
Construction sales and services
Electronic prototype assembly
Equipment repair services
Food preparation
Laundry services
Pawn shop services
Vehicle storage
Custom manufacturing
Maintenance and service facilities

Building maintenance services
Commercial blood plasma center
Convenience storage
Electronic testing
Equipment sales
Kennels
Monument retail sales
Plant nursery
Veterinary services
Limited warehousing and distribution
Transitional housing

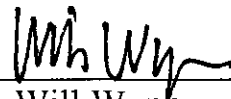
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on October 9, 2006.

PASSED AND APPROVED

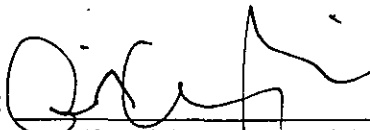
_____, September 28, 2006

§
§
§



Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:

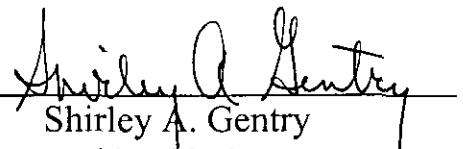

Shirley A. Gentry
City Clerk

EXHIBIT "A"

Tract 1
For Zoning Purposes

Legal Description

LEGAL DESCRIPTION OF A 5.6028 ACRE (244,058 SQUARE FEET) TRACT OF LAND BEING A PORTION OF LOT 5, BLOCK A, AS SHOWN ON THE MAP OR PLAT OF THE PAVILION SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 89, PAGE 179 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.), A PORTION OF LOT 1, BLOCK A, AS SHOWN ON THE MAP OR PLAT OF TYLER SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NUMBER 200300248 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CALLED 0.95 ACRE TRACT, (TRACT B), OUT OF THE JAMES D. GOODE SURVEY, NUMBER 30, DESCRIBED IN A DEED TO MITCHEL AND ROSE T. WONG RECORDED IN VOLUME 12071, PAGE 2427, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 5.6028 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a Texas Department of Transportation (TxDOT) Type II Right-of-Way (R.O.W.) Monument found 163.00 feet right of centerline station 30+95.89 for a point of curvature at the intersection of the south R.O.W. line of U.S. Highway 183 (326' R.O.W.) and the east R.O.W. line of Oak Knoll Drive, from which a Texas Department of Transportation Type II R.O.W. Monument found 163.00 feet right of centerline station 46+00.00 bears S61°46'57"E, a distance of 1504.07 feet, same being the **Bearing Basis** for this survey;

THENCE, with the south R.O.W. line of said U.S. Highway 183, S61°46'57"E, a distance of 502.92 feet to a calculated point for the northwest corner and **POINT OF BEGINNING** hereof, also being the northwest corner of said Lot 5, the northeast corner of Lot 1, Block "A", Inn Home Jollyville, a subdivision of record in Volume 98, Page 33 of the P.R.T.C.T., and a point in said south R.O.W. line of U.S. Highway 183;

THENCE, continuing along said south R.O.W. of said U.S. Highway 183, S61°46'57"E, a distance of 518.91 feet to a calculated point for the northeast corner hereof, same being the northeast corner of Lot 7, Block "A", The Pavilion Subdivision, a subdivision of record in Volume 87, Page 155A of the P.R.T.C.T., and being the northeast corner of said Wong Tract;

THENCE, with the west line of said Lot 7 and the east line of said Wong Tract, S28°12'12"W, at 0.87 feet passing a 1/2" iron rod found and continuing for a total distance of 197.78 feet to a 5/8" iron rod found for an angle point hereof, same being the southeast corner of said Wong Tract and a northeast corner of said Lot 5, from which a "PK" nail found at the southwest corner of said Wong Tract, and being an interior ell corner of said Lot 5 bears, N61°50'35"W, a distance of 209.88 feet;

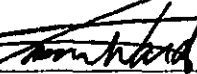
THENCE, along the east line of said Lot 5 and the west line of said Lot 7, S28°08'52"W, a distance of 424.89 feet to a calculated point for the southeast corner hereof;

THENCE, over and across said Lot 1 of the Tyler Subdivision and said Lot 5, the following two (2) courses:

- 1) THENCE, N30°35'46"W, a distance of 347.14 feet to a calculated point for a point of curvature hereof;
- 2) THENCE, 246.82 feet along a curve to the left, whose delta is 12°34'00", whose radius is 1125.32 feet, and whose chord bears N36°48'14"W, a distance of 246.32 feet to a calculated point for the southwest corner hereof, said point being on the west line of said Lot 1, Tyler Subdivision and the east line of said Lot 1, Inn Home Jollyville Subdivision, from which a 1/2" iron rod found capped "4995", at the southwest corner of said Lot 1, Tyler Subdivision, the southeast corner of said Lot 1, Inn Home Subdivision and being a point on the north R.O.W. of Jollyville Road (100' R.O.W.) bears S28°09'41"W, 127.61 feet;

THENCE, along said west line of Lot 1, Tyler Subdivision and the east line of Lot 1, Inn Home Subdivision, N28°09'41"E, a distance of 12.96 feet to a 1/2" iron rod found capped "4995" for an angle point hereof, same being the northwest corner of said Lot 1, Tyler Subdivision, a point on said east line of Lot 1, Inn Home Jollyville Subdivision and being the southwest corner of said Lot 5;

THENCE, along said east line of Lot 1, Inn Home Jollyville Subdivision and the west line of said Lot 5, N28°21'21"E, a distance of 325.94 feet to the POINT OF BEGINNING and containing 5.6028 Acres (244,058 Square feet) of land more or less


Jason Ward, R.P.L.S.
Texas Registration No. 5811
7401 B Highway 71 West
Austin, Texas 78735

8-30-06
Date



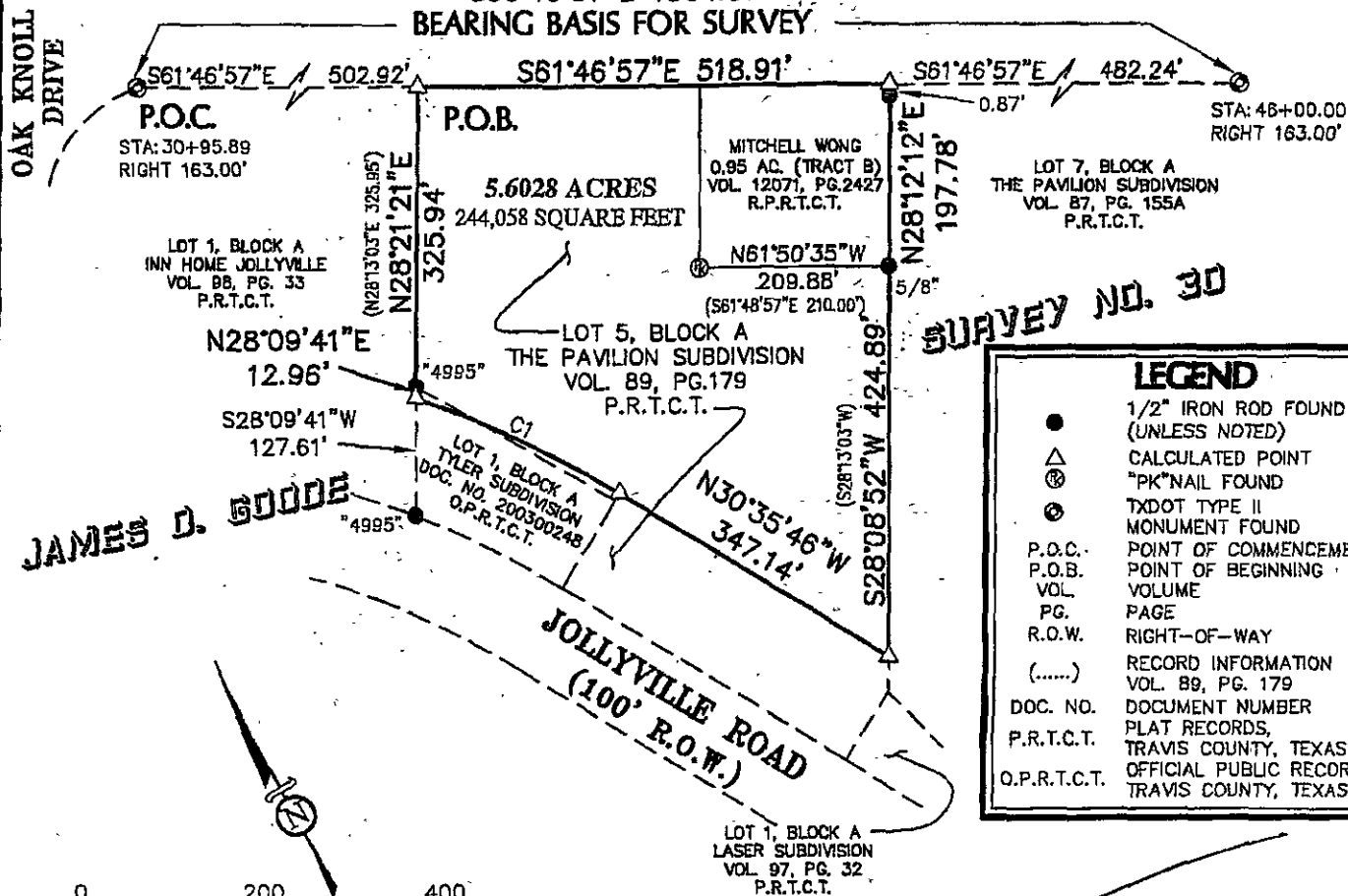
REFERENCE:

TCAD Parcel No. 01-6403-1402
TCAD Parcel No. 01-6630-0407
TCAD Parcel No. 01-6630-0406
Austin Grid G-36, H-36

U.S. HIGHWAY 183 (326' R.O.W.)

S60°46'57"E 1504.07'

BEARING BASIS FOR SURVEY



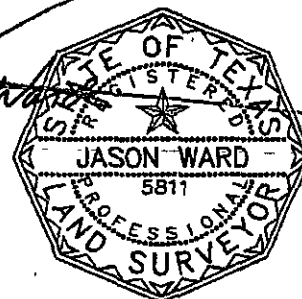
SURVEY NO. 30

LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- △ CALCULATED POINT
- ⊙ "PK" NAIL FOUND
- ⊙ TXDOT TYPE II MONUMENT FOUND
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- VOL. VOLUME
- PG. PAGE
- R.O.W. RIGHT-OF-WAY
- (.....) RECORD INFORMATION
- VOL. 89, PG. 179
- DOC. NO. DOCUMENT NUMBER
- P.R.T.C.T. PLAT RECORDS, TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS

JAMES D. GOODE

**JOLLYVILLE ROAD
(100' R.O.W.)**



SKETCH TO ACCOMPANY DESCRIPTION

A ZONING DESCRIPTION FOR A PORTION OF LOT 5, BLK A, THE PAVILION SUBDIVISION, A SUBDIVISION OF RECORD IN VOL. 89, PG. 179 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF LOT 1, BLK A, TYLER SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200300248 AND ALL OF THAT 0.95 ACRE TRACT (TRACT B) OUT OF THE JAMES D. GOODE SURVEY NO. 30 RECORDED IN VOL. 12071, PG. 2427 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

**5.6028 ACRE TRACT
FOR ZONING PURPOSE
CITY OF AUSTIN,
TRAVIS, COUNTY
TEXAS**

D&A Doucet & Associates, Inc.
7401 B Hwy. 71 West, Suite 160
Austin, TX 78735, Phone: (512) 583-2600 Fax: (512) 583-2601
AUSTIN, TEXAS - EASTHAMPTON, MASSACHUSETTS - ROSEVILLE, CALIFORNIA
www.doucetandassociates.com

Date:	30 AUG 06
Scale:	AS SHOWN
Drawn by:	SHR
Reviewer:	JW
Project:	525-017
Sheet:	1 OF 1
Field Book:	151
Party Chief:	J. LOPEZ
Survey Date:	8/23/06

Tract 2

EXHIBIT B

For Zoning Purposes

Legal Description

LEGAL DESCRIPTION OF A 1.5910 ACRE (69,302 SQUARE FEET) TRACT OF LAND, BEING A PORTION OF LOT 5, BLOCK A, AS SHOWN ON THE MAP OR PLAT OF THE PAVILION SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 89, PAGE 179 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.) AND BEING A PORTION OF LOT 1, BLOCK A, AS SHOWN ON THE MAP OR PLAT OF TYLER SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NUMBER 200300248 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1.5910 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a Texas Department of Transportation (TxDOT) Type II Right-of-Way (R.O.W) Monument found 163.00 feet right of centerline station 30+95.89 for a point of curvature at the intersection of the south R.O.W. line of U.S. Highway 183 (326' R.O.W.) and the east R.O.W. line of Oak Knoll Drive, from which a Texas Department of Transportation Type II R.O.W. Monument found 163.00 feet right of centerline station 46+00.00 bears S61°46'57"E, a distance of 1504.07 feet, same being the **Bearing Basis** for this survey;

THENCE, with the south R.O.W. of said U.S. Highway 183, S61°46'57"E, a distance of 502.92 feet to a calculated point for the northwest corner of said Lot 5, also being the northeast corner of Lot 1, Block "A", Inn Home Jollyville, a subdivision of record in Volume 98, Page 33 of the P.R.T.C.T. and a point in said south R.O.W. of U.S. Highway 183;

THENCE, along the west line of said Lot 5 and the east line of said Lot 1, Inn Home Jollyville subdivision, S28°21'21"W, a distance of 325.94 feet to a 1/2" iron rod found capped "4995" for the southwest corner of said Lot 5, also being a point on said east line of Lot 1, Inn Home Jollyville subdivision and the northwest corner of Lot 1, of said Tyler Subdivision;

THENCE, along the east line of said Lot 1, Inn Home Jollyville Subdivision and the west line of Lot 1, of said Tyler Subdivision, S28°09'41"W, a distance of 12.96 feet to a calculated point for the northwest corner and **POINT OF BEGINNING** hereof;

THENCE, over and across said Lot 1, Tyler Subdivision and said Lot 5, the following two (2) courses:

- 1) **THENCE**, 246.82 feet along a curve to the right, whose delta is 12°34'00", whose radius is 1125.32 feet, and whose chord bears S36°48'14"E, a distance of 246.32 feet to a calculated point for a point of tangency hereof;
- 2) **THENCE**, S30°35'46"E, a distance of 347.14 feet to a calculated point for the northeast corner hereof and being on the east line of said Lot 5, and being a point on the west line of Lot 7, Block "A", The Pavilion Subdivision, a subdivision of record in Volume 87, Page 155A of the P.R.T.C.T.;

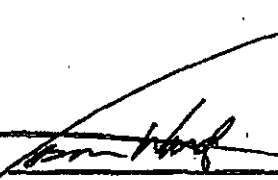
THENCE, along said east line of Lot 5 and the west line of said Lot 7, S28°08'52"W, a distance of 38.16 feet to a calculated point for an angle point hereof, same being the southwest corner of said Lot 7, Block "A", The Pavilion Subdivision and the northwest corner of Lot 1, Block "A", Laser Subdivision, a subdivision of record in Volume 97, Page 32 of the P.R.T.C.T. and being an angle point in the east line of said Lot 5;

THENCE, continuing along said east line of Lot 5 with the west line of Lot 1, of said Laser Subdivision, S59°24'12"W, a distance of 87.38 feet to a 5/8" iron rod found for the southeast corner hereof, said point being on the north R.O.W. line of Jollyville Road (100' R.O.W.) and the southwest corner of Lot 1, of said Laser Subdivision;

THENCE, along the south line of said Lot 5 and said north R.O.W. of Jollyville Road, N30°35'46"W, a distance of 366.63 feet to a broken type I concrete marker for a point of curvature hereof, same being an exterior ell corner of said Lot 5 and being the southeast corner of said Lot 1, Block "A", Tyler Subdivision;

THENCE, continuing along said north R.O.W. of Jollyville Road with the south line of said Lot 1, 179.93 feet along a curve to the left, whose delta is 10°15'17", whose radius is 1005.32 feet, and whose chord bears N35°37'17"W, a distance of 179.69 feet to a 1/2" iron rod found capped "4995" for the southwest corner hereof, same being the southwest corner of said Lot 1, Tyler Subdivision and the southeast corner of said Lot 1, Block "A", Inn Home Jollyville;

THENCE, along the west line of said Lot 1, Tyler Subdivision and the east line of said Lot 1, Block "A", Inn Home Jollyville, N28°09'41"E, a distance of 127.61 feet to the **POINT OF BEGINNING** and containing 1.5910 Acres (69,302 Square feet) of land more or less.


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Texas Registration No. 5811
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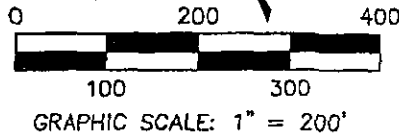
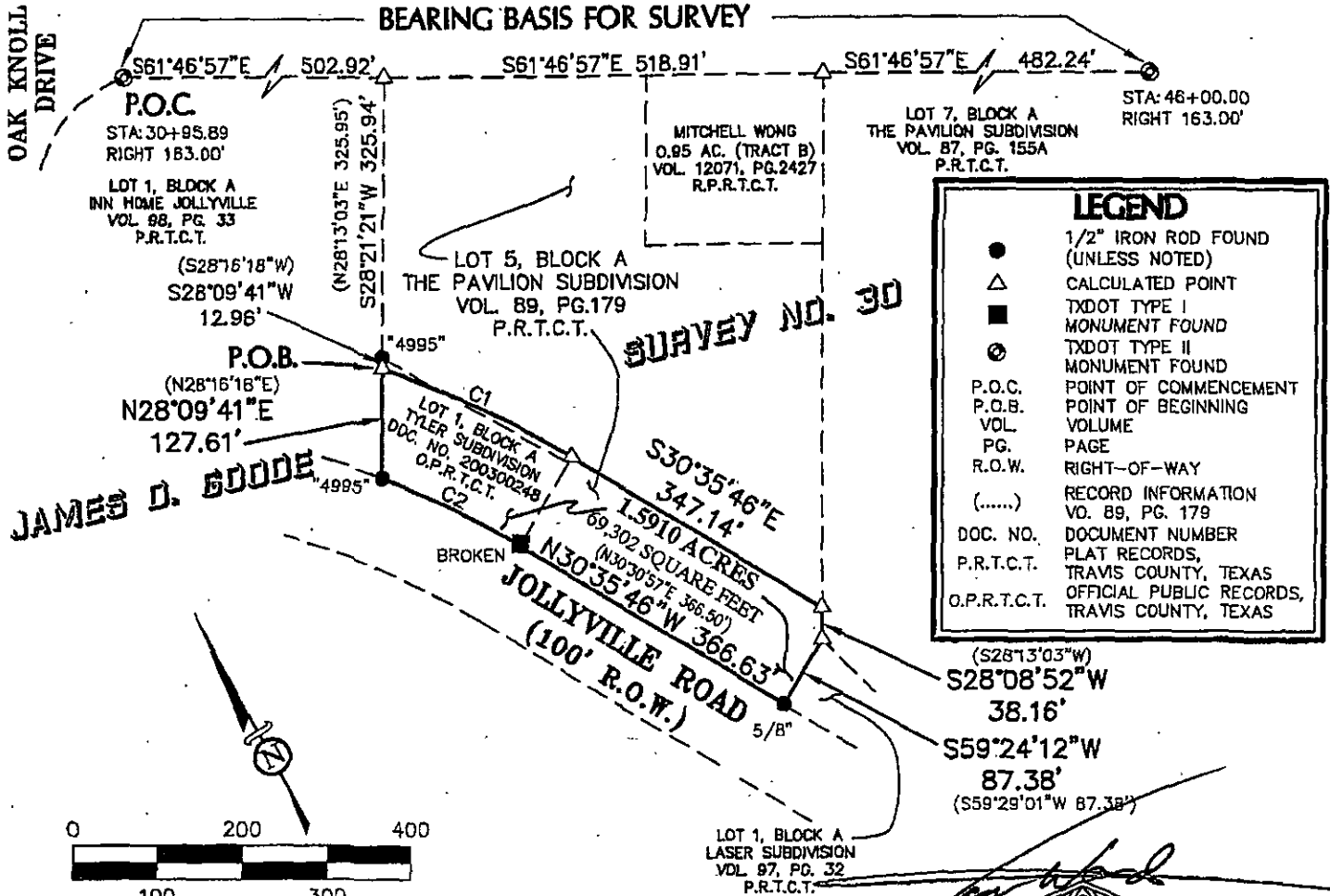
8-30-06
Date

REFERENCE:

TCAD Parcel No. 01-6403-1402
TCAD Parcel No. 01-6630-0407
Austin Grid G-36, H-36

U.S. HIGHWAY 183 (326' R.O.W.)

S61°46'57"E 1504.07'
BEARING BASIS FOR SURVEY



CURVE TABLE					
NO.	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	246.82'	1125.32'	12°34'00"	S36°48'14"E	246.32'
C2	179.93'	1005.32'	10°15'17"	N35°37'17"W	179.69'
(C2)	(178.70')		(10°14'30")	(N35°37'02"W)	(179.47')

(C2 RECORD INFORMATION FROM DOC. NO. 200300248)

SKETCH TO ACCOMPANY DESCRIPTION

A ZONING DESCRIPTION FOR A PORTION OF LOT 5, BLK A, THE PAVILION SUBDIVISION, A SUBDIVISION OF RECORD IN VOL. 89, PG. 179 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF LOT 1, BLK A, TYLER SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200300248 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**15910 ACRE TRACT
FOR ZONING PURPOSE
CITY OF AUSTIN,
TRAVIS, COUNTY
TEXAS**

D&A Doucet & Associates, Inc.
7401 B Hwy. 71 West, Suite 160
Austin, TX 78735, Phone: (512) 583-2600 Fax: (512) 583-2601
AUSTIN, TEXAS • EASTHAMPTON, MASSACHUSETTS • ROSEVILLE, CALIFORNIA
www.doucetandassociates.com

Date: 30 AUG 06
Scale: AS SHOWN
Drawn by: SHR
Reviewer: JW
Project: 525-017
Sheet: 1 OF 1
Field Book: 151
Party Chief: J. LOPEZ
Survey Date: 8/23/06

